

REMARKS

Applicants canceled claims 25 and 32; amended claims 17, 18, 24, 28, 29, 33, and 36; and added new claims 38-45. Figure 2 has also been amended. Claims 17, 18, 24, 26-31, and 33-45 are presented for examination.

The Examiner requested that Applicants point out the support in the disclosure for the added claims. Support for claims 17, 24, and 38-40 can be found, e.g., at Fig. 7. Support for claims 18, 26, 27, and 41 can be found, e.g., at page 6, lines 3-11. Support for claims 28-31, 42, and 44 can be found, e.g., at page 8, lines 10-19. Support for claims 33-36 can be found, e.g., at page 6, lines 14-20. Support for claims 37, 43, and 45 can be found, e.g., at page 5, lines 3-5.

The Examiner objected to the drawings as not showing "micro-pores, grooves, and cross-hatched lines." Applicants are submitting herewith amended Fig. 2, which shows the pores, grooves, and lines.

The Examiner rejected claim 32 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants canceled claim 32, which obviates the rejection.

The Examiner rejected claims 17, 18, 24, 28-31, 33, 34, 36, and 37 under 35 U.S.C. § 102(a) as anticipated by U.S. Patent No. 6,099,561 (Alt). As amended, independent claim 17 recites a method of treating a vessel with a stent having a core, wherein a portion of the core contacts the vessel. Alt does not disclose or suggest a stent having a core that contacts a vessel during treatment, and therefore, the rejection should be withdrawn.

The other independent claims (18, 26, and 27) include features of previously added claims 25-27, which the Examiner acknowledged as not anticipated by Alt. Instead, the Examiner rejected claims 25-27 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Alt. The Examiner concluded that the claimed materials as "obvious variants on the iridium oxide and titanium nitrate examples mentioned by Alt", but the Examiner provided no suggestion or motivation to modify Alt's materials to that of the claimed materials. The Examiner is reminded that even when obviousness is based on a single reference, there must be a showing of a suggestion or motivation to modify the teachings of that reference. Here, neither Alt nor the Examiner has provided such suggestion. Applicants request that the rejection be reconsidered and withdrawn.

The Examiner rejected claims 17, 18, 24, 33, 34, 36, and 37 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,800,511 (Mayer '511). The independent claims are 17 and 18. As with Alt, Mayer '511 does not disclose or suggest a stent having a core that contacts a vessel during treatment, as recited in claim 17; therefore, the rejection should be withdrawn. Amended claim 18 recites features of now canceled claim 25, which was not rejected as anticipated by Mayer '511. Therefore, the rejection over Mayer '511 should be withdrawn.

The Examiner rejected claim 35 under 35 U.S.C. § 103(a) as being unpatentable over Mayer '511. Claim 35 depends from claim 18 and is patentable over Mayer '511 for at least the same reasons discussed above.

The Examiner rejected claims 17, 18, 24, and 33-37 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,248,190 (Stinson), and under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,630,840 (Mayer '840).

The independent claims are 17 and 18. As with Alt and Mayer '511, neither Stinson nor Mayer '840 discloses or suggests a stent having a core that contacts a vessel during treatment, as recited in claim 17; therefore, the rejection should be withdrawn. Amended claim 18 recites features of now canceled claim 25, which was not rejected as anticipated by Stinson or Mayer '840. Therefore, the rejections over Stinson or Mayer '840 should be withdrawn.

Applicants believe the claims are in condition for allowance, which action is requested.

Enclosed is a \$930.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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Tu N. Nguyen
Reg. No. 42,934

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
20618840.doc